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Ellen J. Kapiro  
Ellen J. Kapiro

GI 5202D-DIV2

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Applicants : Celeste *et al.*

Serial No. : TBD Examiner: TBD

Filed : Herewith Art Unit: TBD

For : TENDON-INDUCING COMPOSITIONS

August 31, 2001

Hon. Commissioner of Patents  
and Trademarks  
Washington, D.C. 20231

**Declaration Pursuant to 37 CFR §1.821(e) through (g)**

Pursuant to the requirements of 37 CFR §1.821, *et seq.*, the undersigned attorney for Applicants hereby states to the best of her knowledge and belief, the content of the Sequence Listing as amended by the Preliminary Amendment and the computer readable copy of the Sequence Listing being transferred from parent application USSN 08/808,324 are the same and do not include new matter.

Respectfully submitted,

Ellen J. Kapiro  
Ellen J. Kapiro  
Reg. No. 32,245  
Attorney for Applicants  
(617) 665-8857

Correspondence Address:  
American Home Products  
Patent Law department  
Five Giralta Farms  
Madison, N.J. 07940

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GI-5202-D

### DECLARATION and POWER OF ATTORNEY

As a below-named inventor, I hereby declare that:

My residence, post office address, and citizenship are as stated below next to my name.

I believe I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural names are listed below) of the subject matter which is claimed and for which a patent is sought on the invention entitled:

### TENDON-INDUCING COMPOSITIONS

the specification of which  
(check one)

is attached hereto.

was filed on December 22, 1994 as  
Application Serial No. 08/362,670  
and was amended on \_\_\_\_\_.

I hereby state that I have reviewed and understand the contents of the above-identified specification, including claims, as amended by any amendment referred to above.

I acknowledge the duty to disclose information of which I am aware which is material to the examination of this application in accordance with Title 37, Code of Federal Regulations, Section 1.56(a).

I hereby claim foreign priority benefits under Title 35, United States Code, Section 119 of any foreign application(s) for patent or inventor's certificate listed below and have also identified below any foreign application for patent or inventor's certificate having a filing date before that of the application on which priority is claimed:

#### Prior Foreign Application(s)

<u>Number</u>	<u>Country</u>	<u>Filing Date</u>	<u>Priority Claimed</u>
_____	_____	_____	YES/NO
_____	_____	_____	YES/NO

I hereby claim the benefit under Title 35, United States Code, Section 120 of any United States application(s) listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States application in the manner provided by the first paragraph of Title 35, United States Code, Section 112, I acknowledge the duty to disclose

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material information as defined in Title 37, Code of Federal Regulations, Section 1.56(a) which occurred between the filing date of the prior application and the national or PCT international filing date of this application:

Application Serial No.	Filing Date	Status
<u>08/164,103</u>	<u>December 7, 1993</u>	<u>Abandoned</u>
<u>08/217,780</u>	<u>March 25, 1994</u>	<u>Pending</u>
<u>08/333,576</u>	<u>November 2, 1994</u>	<u>Pending</u>

I hereby appoint the following attorneys to prosecute this application and to transact all business in the Patent and Trademark Office connected therewith:

Thomas J. DesRosier, Reg. No. 30,168  
Ellen J. Kapinos, Reg. No. 32,245  
Mary Bak, Reg. No. 31,215  
M. C. Meinert, Reg. No. 31,544  
Steven R. Lazar, Reg. No. 32,618  
Scott A. Brown, Reg. No. 32,724

Address all telephone calls to Steven A. Lazar at Telephone No. (617) 498-8260. Address all correspondence to **LEGAL AFFAIRS, GENETICS INSTITUTE, INC., 87 Cambridge Park Drive, Cambridge, Massachusetts 02140**.

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

Full name of sole or first inventor Anthony J. CELESTE

Inventor's signature Anthony J. Celeste Date 12/1/94

Residence 86 Packard Street, Hudson, Massachusetts USA 01749

Citizenship United States of America

Post Office Address 86 Packard Street, Hudson, Massachusetts USA 01749

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Full name of second joint inventor John M. WOZNEY

Inventor's signature John M. Wozney Date 10/28/94

Residence 59 Old Bolton Road, Hudson, Massachusetts USA 01749

Citizenship United States of America

Post Office Address 59 Old Bolton Road, Hudson, Massachusetts USA 01749

Full name of third joint inventor Vicki A. ROSEN

Inventor's signature Vicki A. Rosen Date 11-3-94

Residence 127 Kilsyth Road #7, Brookline, Massachusetts USA 02146

Citizenship United States of America

Post Office Address 127 Kilsyth Road #7, Brookline, Massachusetts USA 02146

Full name of fourth joint inventor Neil M. WOLFMAN

Inventor's signature Neil M. Wofman Date 10-28-94

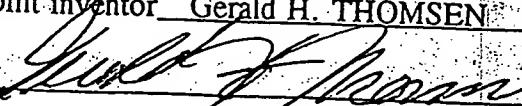
Residence 30 Rolling Lane, Dover, Massachusetts USA 02030

Citizenship United States of America

Post Office Address 30 Rolling Lane, Dover, Massachusetts USA 02030

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Full name of fifth joint inventor Gerald H. THOMSEN

Inventor's signature 

Date January 5, 1995

Residence 201 Bayview Terrace, Port Jefferson, New York USA 11777-1304

Citizenship United States of America

Post Office Address 201 Bayview Terrace, Port Jefferson, New York USA 11777-1304

Full name of fourth joint inventor Douglas A. MELTON

Inventor's signature 

Date

Residence 22 Slocum Road, Lexington, Massachusetts USA 02173

Citizenship United States of America

Post Office Address 22 Slocum Road, Lexington, Massachusetts USA 02173

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Full name of fifth joint inventor Gerald H. THOMSEN

Inventor's signature \_\_\_\_\_

Date \_\_\_\_\_

Residence 201 Bayview Terrace, Port Jefferson, New York USA 11777-1304

Citizenship United States of America

Post Office Address 201 Bayview Terrace, Port Jefferson, New York USA 11777-1304

Full name of fourth joint inventor Douglas A. MELTON

Inventor's signature Douglas Melton

7 dec 94

Date \_\_\_\_\_

Residence 22 Slocum Road, Lexington, Massachusetts USA 02173

Citizenship United States of America

Post Office Address 22 Slocum Road, Lexington, Massachusetts USA 02173